

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

NEW CENTURY FOUNDATION,

and

SAMUEL JARED TAYLOR,

Plaintiffs,

v.

MICHAEL ROBERTSON,

*In his official capacity as director of
Tennessee Department of Environment and
Conservation,*

Defendant.

Case No. 3:18-cv-00839

Hon. Aleta A. Trauger

DECLARATION OF RICK TYLER

I, Rick Tyler, declare as follows:

1. I am a board member of the American Freedom Party (hereinafter “AFP”).
2. I also serve as chair of the Tennessee American Freedom Party (hereinafter “TAFP”).
3. Upon attempting to reserve the Montgomery Bell Inn and Conference Center on behalf of the TAFP I was informed by Mr. Mike Robertson that nothing could be reserved until the disputed invoice to the AFP for

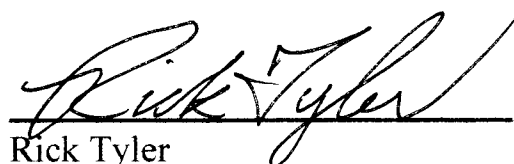
security services provided for a past event in the amount of \$21,057.69 had been paid.

4. Prior to this time, I had been led to believe by Mr. Robertson that payment of a disputed security fee in the amount of \$6424.01 that had been assessed to the AFP for its June 15-17, 2018 event would satisfy requirements for the AFP to secure future dates at the park facility. Through my personal, good faith intervention I persuaded AFP national board member Mr. Earl Holt to tender a check in the amount of \$6424.01.
5. While seeking resolution to the invoice dispute between the AFP Chairman, Mr. William D. Johnson, and Mr. Robertson in his capacity of oversight of the Montgomery Bell Inn and Conference Center, I elected to proceed with plans for 2019 activities at the Henry Horton State Park under the legal auspices of the TAFP. The alternative venue was selected in light of major remodeling scheduled to take place in 2019 at the preferred Montgomery Bell location. At this juncture, Mr. Robertson intervened in my effort to secure reservations at Henry Horton, stating that because I was involved with the AFP I was prohibited from transacting business with the state park system in any capacity until the disputed outstanding financial matters were resolved, despite the fact that

I am not the signatory to the contract under dispute and have no legal liability or obligation concerning lingering financial disagreements.

6. After receiving Mr. Holt's \$6,424.01 check the Montgomery Bell State Park issued a new and supplemental invoice to the AFP in the amount of \$21,057.69 and has proceeded to require its payment in full as a prerequisite for either the AFP or the TAFP to be allowed to make future reservations with the inn and conference facilities of the Tennessee State Park System.
7. I have contacted Mr. Robertson via certified mail in an effort to rectify this matter but, to date, have received no formal response. At this time, based on the facts herein enumerated and my considerable communication with individuals speaking on behalf of the Tennessee Parks Department, I am convinced that both the AFP and the TAFP are being obstructed from using park facilities due to the content and controversial nature of our message and the perceived liability and hardship it represents to the parties in question.

I declare under penalty of perjury that the facts set forth above are true to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Rick Tyler", is written over a horizontal line.

Rick Tyler
1174 Hwy 64
Ocoee TN, 37361

October 5, 2015

CERTIFICATE OF SERVICE

I, Van R. Irion, affirm that on October 5, 2018, a copy of this Proof of Service and the foregoing Plaintiffs' Reply to Defendant's Answer to Plaintiffs' Emergency Motion for a Preliminary Injunction was filed with the Court's Electronic Filing System. Notice of said filing will be sent by operation of the Court's Electronic Filing System to all parties indicated on the electronic filing receipt as follows:

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/s/ Van R. Irion

Van R. Irion (#024519)

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*Attorney for New Century Foundation and
Samuel Jared Taylor*

Dated: October 5, 2018